

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-03-06/Z-99-48
2-11-03

03- 0 -0423

AN ORDINANCE TO AMEND ORDINANCE Z-99-48,
ADOPTED BY CITY COUNCIL NOVEMBER 1, 1999
AND APPROVED BY OPERATION OF LAW
NOVEMBER 10, 1999, REZONING FROM THE R-3
(SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE
RG-3-C (RESIDENTIAL GENERAL-SECTOR 3-
CONDITIONAL) DISTRICT, PROPERTY LOCATED AT
3469-3475 ROXBORO ROAD, N.E. FOR THE PURPOSE
OF APPROVING A CHANGE OF CONDITOINS AND AN
AMENDED SITE PLAN.

OWNER: GARY BROCK

APPLICANT: HARRISON DESIGN ASSOCIATES

BY: KATIE ANDERSEN

NPU-B

COUNCIL DISTRICT 7

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That Ordinance Z-99-48, adopted by City Council November 1, 1999 and approved by Operation of Law November 10, 1998 rezoning from the R-3 (Single-Family Residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **3469-3475 Roxboro Road, N.E.** is hereby amended by deleting condition number 2 which reads "There shall be no gates at any entry point" and approving the site plan entitled "Site Plan for Roxboro Place" prepared by Travis Pruitt and Associates, Inc., dated November 15, 1999, last revised February 9, 2001, and marked received by the Bureau of Planning February 11, 2003 for the purpose of approving the fencing and gates shown thereon. Also to approve a garage building also shown.

SECTION 2. That all other previously approved conditions governing the development of this property shall remain in full force and effect.

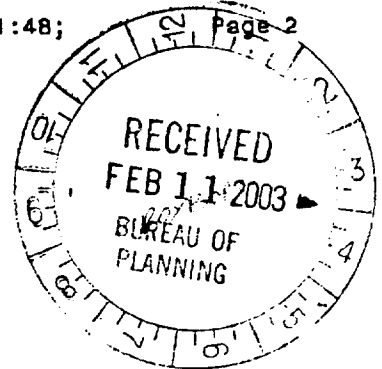
SECTION 3. That approval of this amended site plan does not authorize the violation of any zoning district regulations. District regulation variances may be approved only by the Board of Zoning Adjustment in response to the application of a petitioner.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Sent By: BUREAU OF PLANNING;

4048587491;

Aug-28-02 11:48;



99-0-1573

MUNICIPAL CLERK
ATLANTA, GEORGIA

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-99-48
10-12-99

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at 3469-3475 Roxboro Road, N.E. be changed from the R-3 (Single-Family Residential) District to RG-3-C (Residential-General Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 9 of the 17th District, Fulton County, Georgia being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment

SECTION 3. That the maps referred to, now on file in the Office of Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy.

Deputy Clerk

ADOPTED as amended by Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

November 01, 1999

November 10, 1999

Z-03-06/299-48

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Sent By: BUREAU OF PLANNING;

4046597481;

Aug-26-02 11:48;

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Conditions for Z-99-48

1. Site plan entitled "Site plan for Roxboro Place, A Buckhead Community", prepared by Altamira Design and Common Sense, Inc. Land Planning, Landscape Architecture, Urban Design, undated and marked received by the Bureau of Planning October 11, 1999.
- 2. There shall be no gates at any entry point.

*FILED VARIANCE
conditions to
Z-99-48*



Z-03-06/Z-99-48

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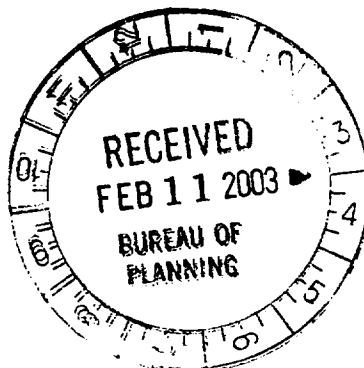
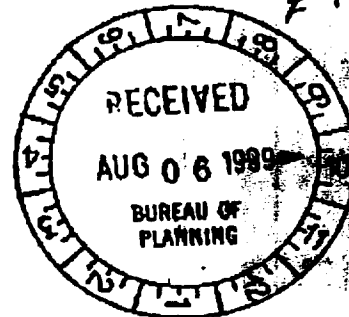
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**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 9 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

To find the **TRUE POINT OF BEGINNING**, commence at a point formed by the intersection of southeast right-of-way of Kingsboro Road (a 50-foot right-of-way) and the northeast right-of-way of Roxboro Road (a 40-foot right-of-way); thence along the northeasterly right-of-way of Roxboro Road a distance of 448.55 feet to a ½ inch rebar found and the **TRUE POINT OF BEGINNING**; from said **TRUE POINT OF BEGINNING** as thus established, thence leaving said right-of-way and proceeding North 36 degrees 58 minutes 53 seconds East a distance of 313.03 feet to a ½ inch rebar found; thence South 88 degrees 49 minutes 41 seconds East a distance of 224.92 feet to an iron pin set; thence South 37 degrees 09 minutes 24 seconds West a distance of 174.64 feet to a one inch open top pipe; thence North 74 degrees 46 minutes 09 seconds West a distance of 10.54 feet to a 1/2 inch rebar found; thence South 37 degrees 04 minutes 43 seconds West a distance of 286.13 feet to a 1/4 inch rebar found on the northeasterly right-of-way of Roxboro Road; thence proceeding along said right-of-way North 46 degrees 00 minutes 53 seconds West a distance of 109.63 feet to a ½ inch rebar found; thence North 46 degrees 56 minutes 38 seconds West a distance of 63.13 feet to a ½ inch rebar found, said point being the **TRUE POINT OF BEGINNING**.

Said property containing 1.558 acres and being shown as Tract One and Tract Two on that certain Boundary and Topographic Survey for Wayne H. Mason and Gary Brock, dated July 14, 1999, prepared by Precision Planning, Inc., Randall W. Dixon, Georgia Registered Land Surveyor Number 1678, which survey is incorporated herein by this reference hereto.



90829.1

2-03-06/2-99-48

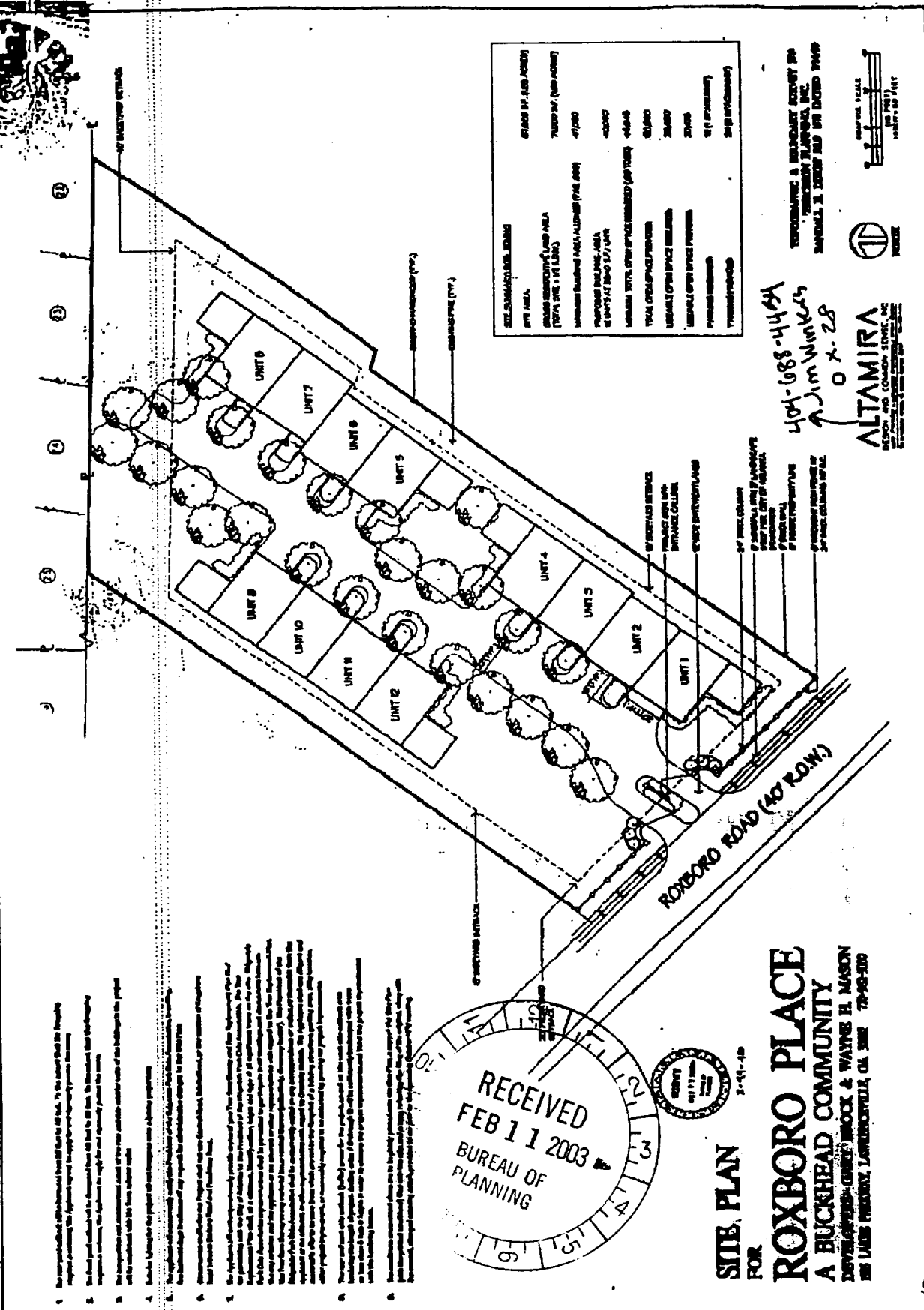
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Added Box Admin: 570 Per: 11/11/02

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